

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TERESITA MAPOY,)	Case No. 11-1451 SC
)	
Plaintiff,)	ORDER DISMISSING
)	PLAINTIFF'S CLAIMS AGAINST
v.)	THE FDIC WITH PREJUDICE AND
)	<u>REMANDING CASE</u>
WASHINGTON MUTUAL BANK, FA;)	
JPMORGAN CHASE BANK, N.A.;)	
CALIFORNIA RECONVEYANCE COMPANY;)	
and DOES 1 through 50, inclusive,)	
)	
Defendants.)	
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)	
)	
)	

Plaintiff Teresita Mapoy ("Plaintiff") commenced this action in California Superior Court for Contra Costa County on August 10, 2010, bringing numerous claims against Defendants Washington Mutual Bank, FA ("WaMu"), JP Morgan Chase Bank, N.A. ("JP Morgan"), California Reconveyance Company ("CRC"), and fifty Doe Defendants. On November 15, 2010, Plaintiff filed a First Amended Complaint, which added the Federal Deposit Insurance Company ("FDIC") as a defendant. See ECF No. 1 ("Notice of Removal") Ex. B ("FAC"). The FDIC removed the action to federal court under 12 U.S.C. § 1819(b)(2)(B), which permits the FDIC to remove any state court action within ninety days of the FDIC being named as a party. See Notice of Removal.

1 On June 29, 2011, the Court granted a motion to dismiss filed
2 by the FDIC on the ground that Plaintiff failed to plead exhaustion
3 of administrative remedies. ECF No. 29. The Court granted
4 Plaintiff thirty days leave to file an amended complaint if she
5 wished to do so, absent which the Court would dismiss Plaintiff's
6 claims against the FDIC with prejudice and remand the case to state
7 court. Id.

8 Thirty days have passed, and Plaintiff has not filed an
9 amended complaint. Therefore, the Court DISMISSES Plaintiff's
10 claims against the FDIC WITH PREJUDICE and REMANDS the case to
11 California Superior Court for Contra Costa County.

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13 IT IS SO ORDERED.

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15 Dated: August 9, 2011

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17 UNITED STATES DISTRICT JUDGE
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